

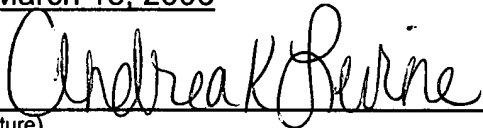
ATTORNEY DOCKET NO: BOTHW-001CB
TITLE: SCAFFOLD PLANK WITH END CONNECTOR AND METHOD OF MAKING SAME

Certificate of Mailing under 37 CFR 1.8 or 37 CFR 1.10

ف I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop ISSUE FEE
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on March 13, 2006

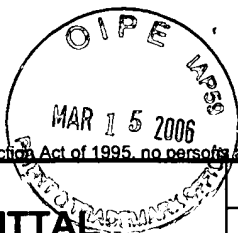

(Signature)

Andrea K. Levine

(Typed name of person signing certificate)

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

1. Certificate of Mailing;
2. Transmittal;
3. Fee Transmittal (in duplicate);
4. Request to Correct Inventorship (2 pages);
5. Exhibit A - Declaration of Peter Bemis;
6. Exhibit B - Declaration (3 pages);
7. Exhibit C - Written Consent of Assignee;
8. A Check for \$130.00; and
9. Return Receipt Postcard



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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/656,818
Filing Date	09/05/2003
First Named Inventor	Timothy B. Bothwell
Art Unit	3634
Examiner Name	Chin Shue, Calvin C.
Attorney Docket Number	BOTHW-001CB

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | Certificate of Mailing; and Return Receipt Postcard (see below) |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

Request to Correct Inventorship; Declaration of Peter Bemis; Declaration; Written Consent of Assignee

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	STETINA BRUNDA GARRED & BRUCKER		
Signature			
Printed name	Mark B. Garred		
Date	3/13/06	Reg. No.	34,823

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Andrea K. Levine	Date	03/13/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
\$130.00**Complete if Known**

Application Number	10/656,818
Filing Date	09/05/2003
First Named Inventor	Timothy B. Bothwell
Examiner Name	Chin Shue, Alvin C.
Art Unit	3634
Attorney Docket No.	BOTHW-001CB

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 19-4330 Deposit Account Name: Stetina Brunda Garred & Brucker

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
_____ - 20 or HP = _____ x _____ = _____						
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
_____ - 3 or HP = _____ x _____ = _____						
HP = highest number of independent claims paid for, if greater than 3						

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	_____ / 50 = _____	(round up to a whole number) x _____	_____	0.00

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Processing Fee

Fees Paid (\$)

\$130

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	34,823	Telephone	(949) 855-1246
Name (Print/Type)	Mark B. Garred	Date	3/13/06		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Application No.: 10/656,818
Attorney Docket: BOTHW-001CB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Timothy B. Bothwell, et al.	)	Confirmation No.	9411
)		
Serial No.:	10/656,818	)	Art Unit:	3634
)		
Filed:	September 5, 2003	)	Examiner:	Chin Shue, Alvin C.
)		
For:	Scaffold Plank with End Connector and Method of Making Same)		

REQUEST TO CORRECT INVENTORSHIP UNDER 37 CFR 1.48

PURSUANT TO 35 U.S.C. 116

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

Applicants hereby request a correction of inventorship for the above-identified application under 37 CFR 1.48 pursuant to 35 U.S.C. 116. In particular, Applicants request that the inventorship be changed from Timothy B. Bothwell and Roy Watson to all three Timothy B. Bothwell, Roy Watson and Peter F. Bemis. Further, in support of Applicants' request for change of inventorship, Applicants submit concurrently herewith a statement from each person being added as an inventor that the error in inventorship occurred without deceptive intention on his part. In particular, as shown in Exhibit A, Peter F. Bemis, the person being added as an inventor, states that the error in inventorship occurred without deceptive intention on his part.

A Declaration by the newly added inventor as required by 37 CFR § 1.63 is also being submitted concurrently herewith as Exhibit B. The Declaration lists Timothy B. Bothwell, Roy Watson and Peter F. Bemis as inventors of the above-identified application and is executed by all three inventors (the Declaration of Timothy B. Bothwell and Roy Watson, having been executed and filed with the U.S. Patent and Trademark Office with the initial application filing and for which a copy is included in Exhibit B).

Application No.: 10/656,818
Attorney Docket: BOTHW-001CB

Applicants also submit concurrently herewith a written consent of the Assignee, Bothwell Enterprises, Inc. as Exhibit C wherein the Assignee consents to the change of inventorship. Applicants also submit the processing fee set forth in 37 CFR § 1.17(i) (\$130).

By this Correction of Inventorship, Applicants respectfully submit that the requirements of 37 CFR § 1.48(a) have been met and request the Examiner to change the inventorship of the above-identified application to reflect all three Timothy B. Bothwell, Roy Watson and Peter F. Bemis as co-inventors. Should the Examiner have any questions, the Examiner is invited to contact Applicants' representative at the number listed below.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: 3/13/06

By:



Customer No.: 007663

Mark B. Garred
Registration No. 34,823
STETINA BRUNDA GARRED & BRUCKER
75 Enterprise, Suite 250
Aliso Viejo, California 92656
Telephone: (949) 855-1246
Fax: (949) 855-6371

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Case: BOTHW-001CB



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Timothy B. Bothwell, et al.)	Confirmation No.	9411
)		
Serial No.:	10/656,818	)	Art Unit:	3634
)		
Filed:	September 5, 2005	)	Examiner:	Chin Shue, Alvin C.
)		
For:	Scaffold Plank with End Connector and Method of Making Same)		

DECLARATION OF PETER F. BEMIS

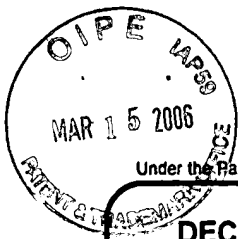
Mail Stop Issue Fee
P.O. Box 1450
Alexandria, VA 22313-1450

I, Peter F. Bemis, declare as follows:

1. I have personal knowledge of the facts stated herein.
2. The inventors of the above-identified patent application as filed are Timothy B. Bothwell and Roy Watson. However, the inventors of the above-identified application are Timothy B. Bothwell, Roy Watson and Peter F. Bemis. This error in naming all of the inventors occurred without deceptive intent on my part.
3. I further declare that all statements made herein are of my own knowledge and are true, and further that I am aware that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

Date: 2/10/2006

Name: Peter F. Bemis
Peter F. Bemis



**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☒ Declaration Submitted with Initial Filing OR ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	BOTHW-001CB
First Named Inventor	Timothy B. Bothwell
COMPLETE IF KNOWN	
Application Number	/
Filing Date	Herewith
Art Unit	
Examiner Name	

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SCAFFOLD PLANK AND METHOD OF MAKING SAME

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY) [] as United States Application Number or PCT International

Application Number [] and was amended on (MM/DD/YYYY) [] (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]



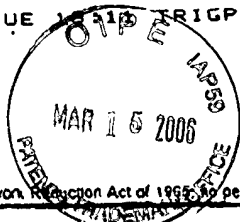
PTO/SB/01 (10-01)

Approved for use through 10/31/2002 OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/>		Customer Number or Bar Code Label		007663		OR <input type="checkbox"/> Correspondence address below	
Name STETINA BRUNDA GARRED & BRUCKER							
Address							
City				State		ZIP	
Country			Telephone			Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
NAME OF SOLE OR FIRST INVENTOR :				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any]) Timothy B.				Family Name or Surname Bothwell			
Inventor's Signature <i>T. Bothwell</i>				Date 9-4-03			
Residence: City Riverside		State California		Country U.S.A.		Citizenship U.S.A.	
Mailing Address 6766 Nicolett							
City Riverside		State California		ZIP 92504		Country U.S.A.	
NAME OF SECOND INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any]) Roy				Family Name or Surname Watson			
Inventor's Signature				Date			
Residence: City Norwalk		State Connecticut		Country U.S.A.		United Kingdom Citizenship U.S.A.	
51 Quintard Avenue							
Mailing Address							
City Norwalk		State Connecticut		ZIP 06854		Country U.S.A.	
<input type="checkbox"/> Additional Inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.							

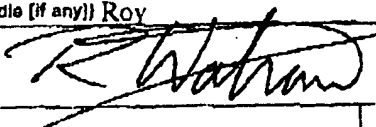


PTO/SB/01 (10-01)

Approved for use through 10/31/2002. OMB 0591-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/>		Customer Number or Bar Code Label		007663		OR <input type="checkbox"/> Correspondence address below	
Name STETINA BRUNDA GARRED & BRUCKER							
Address							
City				State		ZIP	
Country			Telephone			Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
NAME OF SOLE OR FIRST INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any)) Timothy B.				Family Name or Surname Bothwell			
Inventor's Signature						Date	
Residence: City Riverside			State California		Country U.S.A.		Citizenship U.S.A.
Mailing Address 6766 Nicolett							
City Riverside			State California		ZIP 92504		Country U.S.A.
NAME OF SECOND INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any)) Roy				Family Name or Surname Watson			
Inventor's Signature 						Date 8/4/2003	
Residence: City Norwalk			State Connecticut		Country U.S.A.		Citizenship United Kingdom
Mailing Address 51 Quintard Avenue							
City Norwalk			State Connecticut		ZIP 06854		Country U.S.A.
<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.							



Please type a plus sign (+) inside this box → ☐

PTO/SB/02A (11-00)
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DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Peter F.		Bemis	
Inventor's Signature <i>Peter F. Bemis</i>		Date	
Residence: City Elkhart Lake	State WI	Country USA	Citizenship USA
Mailing Address N4944 Highway 57			
Mailing Address			
City Elkhart Lake	State WI	ZIP 53020	Country USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	ZIP	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	ZIP	Country

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Case: BOTHW-001CB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Timothy B. Bothwell, et al.	)	Confirmation No.	9411
)		
Serial No.:	10/656,818	)	Art Unit:	3634
)		
Filed:	September 5, 2003	)	Examiner:	Chin Shue, Alvin C.
)		
For:	Scaffold Plank with End Connector and Method of Making Same)		

WRITTEN CONSENT OF ASSIGNEE

Assistant Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

I, Timothy B. Bothwell, have the authority to act on behalf of the Assignee of the above-identified application, namely, Bothwell Enterprises, Inc. The Assignee consents to the requested inventorship correction requested by the Applicants. In particular, the Assignee consents to correct the inventorship from Timothy B. Bothwell and Roy Watson to Timothy B. Bothwell, Roy Watson and Peter F. Bemis.

Additionally, the Assignee establishes its ownership of the above-identified application in accordance with 37 CFR § 3.73 by submitting a Statement under 37 CFR § 3.73b as Exhibit 1.

Date: 2-20-06

By: L. Bothwell
Name: Timothy B. Bothwell
Title: President, Bothwell Enterprises, Inc.